



**MOST**  
**IMMEDIATE**

भारत सरकार  
राष्ट्रीय अनुसूचित जनजाति आयोग  
GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR SCHEDULED TRIBES

(A Constitutional Commission set up under Art. 338A of the Constitution to investigate and monitor all matters relating to violation of rights and safeguards provided for STs.)

संख्या/ No: 4/3/11-Coord.

दिनांक/ Date: 9/01/2012

To

The Secretary,  
Ministry of Home Affairs,  
North Block,  
New Delhi-110001.

**Sub: Report of the National Commission for Scheduled Tribes on Role of the Governors in the Scheduled Areas under Fifth and Sixth Schedules to the Constitution**

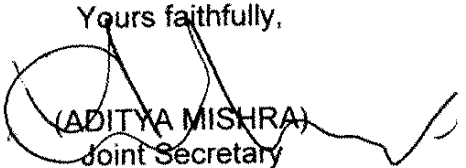
Sir,

I am to refer to Ministry of Tribal Affairs letter NO. 18014/4/2011-C&LM-II dated 15th December, 2011 addressed to the State Governments having Scheduled Areas under Sixth Schedule to the Constitution, with a copy endorsed to the Joint Secretary, Ministry of Home Affairs and also to this Commission, in response to this Commission's letter of even number dated 23/11/2011.

2. The National Commission for Scheduled Tribes, in the meanwhile, has decided to submit to the President of India, a Special Report on Good Governance in Scheduled Areas and Tribal Development Administration, under the provision of article 338A (6) of the Constitution. It may be recalled that the Conference of Governors held on 16th and 17th September, 2008 had discussed the role/powers of Governors under the Fifth Schedule to the Constitution.. The details of the Agenda discussed in the conference and proceedings of the conference are not available in this Commission. In view of above a copy of the Agenda Notes and the proceedings of the Governors' Conference held on 16th and 17th September, 2008 may be made available to this Commission urgently.

3. In order to incorporate in the report, the experience of Constitutional measures taken by the Governors, under Fifth and Sixth Schedule to the Constitution, a meeting with the Principal Secretaries/Secretaries I/C of Tribal Development in those States, has been convened at 11:30 Hrs. on 11/01/2012. Since the Administration of Sixth Schedule is allocated to the Ministry of Home Affairs, it is requested that the concerned Joint Secretary in the Ministry of Home Affairs may be advised to attend the above mentioned meeting on 11/01/2012 and make a presentation regarding the status of implementation of provisions of para 12, 12A, 12AA and 12B of the Sixth Schedule in the North Eastern States.

Yours faithfully,

  
(ADITYA MISHRA)  
Joint Secretary

No.18014/4/2011-C&LM-II

15<sup>th</sup> December,2011

Dear

As you are aware that the National Commission for Scheduled Tribes (NCST) has been set up under Article 338 A of the Constitution to investigate and monitor all matters relating to safeguards provided for Scheduled Tribes. The NCST is vested with the duty inter-alia to present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards. The NCST has decided to include in its next report, the material relating to the working of safeguards enshrined in the Sixth Schedule and the measures taken by the Governors and President in consonance with the provisions.

2. The NCST has requested for details of measures taken, by the Governors of the concerned State or the President of India, as per the provisions of the Sixth Schedule of the Constitution in relation to the States having Sixth Schedule Areas, therein. A copy of NCST's letter No.4/3/11-Coord dated 23.11.2011 is enclosed for ready reference.

3. I am, therefore, to request you to furnish the requisite information to the NCST directly at the earliest under intimation to this Ministry.

Yours sincerely,

  
(Dr.Sadhana Rout)

ADCC. cell

18  
20/12/2011

The Secretaries of 4 States  
(As per list attached)

3014/R2/11  
20/12/11

Remind again : refer to report of  
Expert gpl. educationis .

Shri Shyam Mewara,  
Principal Secretary,  
Welfare of Plain Tribes & BCs Department,  
Government of Assam,  
Dispur,  
Guwahati.

Shri A.Som,  
Secretary,  
Tribal Welfare Department,  
Government of Meghalaya,  
Shillong.

Mrs.B.Sairengpuli,  
Secretary,  
Social Welfare Department,  
Government of Mizoram,  
Aizwal.

Shri S.K.Das,  
Secretary,  
Tribal Welfare Department,  
Government of Tripura,  
Agartala.

N.O.O.

Copy to : 1. The Joint Secretary, MHA, North Block, New Delhi -1. A copy of the NCST's letter No.4/3/11-Coord dated 23.11.11 is enclosed. It is requested that the requisite information may kindly be furnished to NCST, under intimation to this Ministry.

✓ 2. The Joint Secretary, NCST New Delhi w.r.t. his letter No.4/3/11-Coord dated 23.11.2011. It is to inform you that the information related to Sixth Schedule is not available in this Ministry.

*Purnima*  
5/15/12-21  
(Purnima Tudu)

Under Secretary to the Government of India (C&LM)  
Tele : 23383965